

## CHAPTER 9

### SECTION 2.1

## ELIGIBILITY - GENERAL

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AUTHORITY: 32 CFR 199.5(b)

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### I. POLICY

A. ECHO benefits are limited to a TRICARE eligible child or spouse of:

1. A member of one of the Uniformed Services of the United States, including members of the Reserve Component activated for a period of more than 30 days; or
2. Family members eligible for continued TRICARE medical benefits through the Transitional Assistance Management Program (TAMP). See Chapter 10, Section 5.1.
3. A former member of a Uniformed Service of the United States when the child or spouse is the victim of physical or emotional abuse. (Benefits are limited to the period that the abused dependent is in receipt of transitional compensation under Section 1059 of Title 10 U.S.C.)
4. A deceased sponsor:
  - a. For a period of three calendar years from the date an active duty sponsor dies (these individuals are not distinguished from other active duty family members) or
  - b. Through midnight of the beneficiary's 21st birthday when the beneficiary is receiving ECHO benefits at the time the sponsor dies and the sponsor was eligible at the time of death for receipt of hostile-fire pay or died as a result of a disease or injury incurred while eligible for such pay.

NOTE: The date of death must be on or after October 30, 1997. Contractors are not required to research their files. If previous claims are brought to the attention of the contractor, the contractor shall readjudicate the claim in accordance with this policy.

NOTE: The National Defense Authorization Act for Fiscal Year 2001 (NDAA-FY01) authorized an additional 2 year period for survivors of deceased active duty members to remain eligible at the active duty family member rates. Prior to the FY 2001 Act, family members of a deceased active duty member maintained eligibility for one year after the death of the member.

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B. Except as provided by paragraph I.A.3. or 4., eligibility for ECHO benefits ceases as of 12:01 a.m. of the day following the day that the sponsor ceases to be an active duty member or the Managed Care Support Contractor (MCSC) determines that the beneficiary no longer has a ECHO qualifying condition.

C. The MCSC or TRICARE Overseas Program Regional Director (TOP-RD) will notify the beneficiary in writing of the results of an eligibility determination.

D. A determination that a TRICARE beneficiary is not eligible for the ECHO is considered a factual determination based on a requirement of the law or regulation and as such is not appealable. Denial of ECHO services and supplies to an ineligible beneficiary is not appealable.

II. EXCLUSION

NATO family members are not eligible for benefits through the ECHO.

III. EFFECTIVE DATE            April 1, 2005.

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